

STORAGE NAME: h0341a.hcs

DATE: March 30, 1999

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
HEALTH CARE SERVICES
ANALYSIS**

BILL #: HB 341

RELATING TO: School-Entry Health & Vision Exams

SPONSOR(S): Representative Kelly

COMPANION BILL(S) SB 148 (i)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) EDUCATION K-12 YEAS 9 NAYS 0
- (2) HEALTH CARE SERVICES YEAS 12 NAYS 0
- (3) EDUCATION APPROPRIATIONS
- (4)
- (5)

I. SUMMARY:

HB 341 requires each child entering pre-kindergarten, kindergarten, or any other initial entry into public or non-public school to present a certification of a school entry vision examination and analysis performed within one year prior to enrollment in school.

The school board of each district, and the governing authority of each non-public school, may establish a policy which permits a student up to 120 days to present a certification of a school-entry comprehensive vision examination and analysis. If a school board establishes this policy, it must include provisions in the local school health services plan to assist students in obtaining the vision examinations. Any child must be exempt from the examination requirements upon written request of the parent or guardian stating objections to the examinations on religious grounds.

The bill requires a vision examination for school entry which may cause parents to incur examination costs. However, there are state-wide programs which could be used to provide or support free or reduced-price vision examinations for children.

The bill deletes reference to the joint rule making regarding school-entry examination by the Department of Education and the Department of Health and Rehabilitative Services.

Provides an effective date of July 1, 1999.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Student Registration

According to ss. 232.0205, 232.03, 232.0315, and 232.032, F.S., each student is required to supply the following information at the time of initial registration for school:

- ◆ previous school expulsions, arrests resulting in a charge, and juvenile justice actions the student has had; and
- ◆ evidence that the child has attained the age at which he or she should be admitted.

In addition to these items, a parent or guardian is also required to submit at the time of enrollment a certification of a school-entry health examination performed within one year prior to enrollment in school and a certification of immunization for the prevention of those communicable diseases for which immunization is required by the Department of Health.

Exemptions from these two requirements are provided upon written request of the parent or guardian stating conflicts with his or her religious beliefs. Other exemptions for the certification of immunization are provided based on medical reasons.

Vision Screening

Pursuant to s. 381.0056, F.S., each county health department in collaboration with the district school board must develop a school health services plan which must include, but not be limited to, provisions for health appraisal, nutrition assessment, vision and hearing screening, and growth and development screening. Section 10D-84.014, F.A.C., requires the school health services plan to include an initial school entry health examination. Although there is no state requirement for vision screening for school entry, most school districts have current policies which require screening.

A child failing the pre-kindergarten school district basic vision screening is referred for further diagnostic exams. Sumter and Lake Counties have prekindergarten early intervention grant monies for an open community vision screening completed by an optometrist. Head Start preschool programs have monies for assistance with medical conditions.

Currently there are 170 state-wide programs which could be used to provide or support vision examinations for children. These include such programs as Medicaid, KidCare, Prevent Blindness, Jeppesen VisionQuest (presently in 12 counties, to be statewide by Fall 1999), HMO's, Enriching Youth's Eyes for Success(EYES), Florida Healthy Kids. There are local civic organizations that may collaborate with the school districts in providing support for comprehensive vision examinations.

B. EFFECT OF PROPOSED CHANGES:

The school board of each district, and the governing authority of each non-public school, may establish a policy which permits a student up to 120 days to present a certification of a school-entry comprehensive vision examination and analysis. If a school board establishes this policy, it must include provisions in the local school health services plan to assist students in obtaining the vision examinations. Any child must be exempt from the examinations requirements upon written request of the parent or guardian stating objections to the examinations on religious grounds.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

District school boards and the governing authority of non-public schools may establish policies which permit a student up to 120 days to present a certification of a school-entry comprehensive examination and analysis.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

Yes, the bill requires a child to present a certification of a school entry comprehensive vision examination and analysis prior to enrollment. School districts will be responsible for monitoring/enforcing these additional school entrance requirements.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

An program is not eliminated or reduced.

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

- e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

Yes. The family or guardian of school entrants will be responsible for the cost of a comprehensive vision examination and analysis.

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

The bill does not purport to provide services to families or children.

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

- (4) Are families required to participate in a program?

N/A

- (5) Are families penalized for not participating in a program?

N/A

- b. Does the bill directly affect the legal rights and obligations between family members?

No.

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

This bill does not create or change a program providing services to families or children.

- (1) parents and guardians?

N/A

- (2) service providers?

N/A

- (3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Section 232.0315, F.S.

E. SECTION-BY-SECTION ANALYSIS:

Section 1. Amends s. 232.0315, F.S., relating to school entry health examinations, to require each child to present a certification of school-entry comprehensive vision examination and analysis upon initial entrance into a public or non-public school. The school board of each district, and the governing authority of each non-public school, may establish a policy which permits a student up to 120 days to present a certification of a school-entry comprehensive vision examination and analysis.

Any school board that establishes such a policy must include provisions to assist students in obtaining the vision examinations. Any child must be exempt from the examinations requirements upon written request of the parent or guardian stating objections to the examinations on religious grounds.

The bill deletes reference to joint rule making involving the Department of Education and the Department of Health and Rehabilitative Services.

Section 2. Provides for an effective date of July 1, 1999.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

According to the Department of Health, this bill will result in increased cost to the department of \$12,110 for FY 1999-2000 and \$4,378 in FY 2000-2001, for implementation.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

According to the Department of Health, the average cost of a child's comprehensive eye exam is \$53 in Tallahassee, with a price ranging from \$43 to \$100. Medicaid will reimburse \$45 for a comprehensive vision examination, but only if a child is referred for service by a physician as the result of a Children Healthy Check Up screening. Given these price estimates, the annual cost of compliance with this bill would range from \$8.6 million to \$20 million. However, there are numerous voluntary organizations which would likely provide these services at a reduced price or for free. The proportion of this cost which will be paid by the parents, the local school district, the health department, private insurance, or a public insurance program is indeterminate.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

D. FISCAL COMMENTS:

See above.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or countries have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

In its analysis, the Department of Health indicated that its experience with basic vision examinations as part of school health service activities yields 3 to 5 percent of children screened with a need for referral for a comprehensive eye examination. Follow-up activities are conducted to ensure that these referrals are completed. Given this relatively low "need," it is unclear why all school entrants need a comprehensive vision examination and analysis.

There is no indication in the bill as to what constitutes a "comprehensive vision examination and analysis."

The deletion of authority for state agency rule making for health and vision examinations could result in different standards being adopted in each school district for these services. This could result in quite a bit of variability in such services over time. This language should be retained, with an updated reference to the Department of Health, rather than the Department of Health and Rehabilitative Services.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

When this bill was considered by the Committee on Health Care Services on March 29, 1999, the committee adopted an amendment which restored rule making language under s. 232.0315, F.S., authorizing the Department of Education to adopt rules for school-entry health screening. This restored language was modified to require the rule to be adopted with the concurrence of the Department of Health, rather than the Department of Health and Rehabilitative Services, and to make the rule making applicable to both physical and vision examination requirements.

VII. SIGNATURES:

COMMITTEE ON EDUCATION K-12:

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